

Case called. Accused present.

**Sri. MR,** advocate files vakalath for accused along with bail application U/s 436 of Cr.PC Act and prays for release the accused on bail.

Perused record it is noticed that the complainant has filed complaint alleged that, the accused has committed Offence Punishable U/s 138 NI Act.

The offence punishable under Section 138 of NI Act is bailable in nature. Accordingly, accused is released on bail subject to the condition that, he shall execute personal bond of Rs.10,000/- with one surety for the like sum and shall appear before this court on all hearing dates.

The accused files application U/s 445 of Cr.P.C and seeking permission to depositing the cash surety for enlarging bail. Hence, the accused permitted to deposit sum of **Rs.5,000/-** as cash surety.

**Office is directed to take Bond from accused as well as surety.**

**In view of granting bail, NBW issued against accused is recalled on penalty of Rs.1000/-.**

Substance of accusation stated to the accused and he asked whether he pleads guilty or has any defence to make. However, the

accused pleads not guilty and submits he has defense to make.

The sworn statement of the complainant filed by him during per-summoning stage is considered as the evidence of the complainant as per the decision of the Hon'ble Supreme Court rendered in the case of **Indian Bank Association and others versus Union of India and others** (2014) 5 SCC 590 and also as per the observations made by our Hon'ble High Court in the case of M/s. Mesh Trans Gears Private Limited versus Dr. R.Parvathreddy ILR 2014 KAR 5237. Though, there is no stage and necessity to mark the documents. The cheque bearing No.232699 dated 23.08.2023 for Rs.7,25,000/- drawn on Navanagar Urban Co-operative Bank Ltd., K.R.Nagar branch is marked as Ex.P-1, sign of accused as Ex.P-1(a), Bank endorsement is marked as Ex.P-2, Legal notice is marked as Ex.P-3, One postal receipt is marked as Ex.P-4, Two unserved postal covers are marked as Ex.P-5 and Ex.P-6 for the purpose of identification and also to enable the accused to know about the documents relied by the complaint.

Statement of the accused is recorded U/s 313 of Cr.PC and to explain circumstances appearing in the evidence against him and accused has denied the same and he has chosen to lead his evidence.

Accused has filed U/Sec.145(2) of N.I.Act seeking permission for cross examination of PW-1. Hence, case posted for cross examination.

For cross of PW-1, call on 03.10.2025.

Sr. Civil Judge and JMFC.,  
K.R.Nagar.